

September 13, 2022

Supervisor Gregory Horr called the regular meeting of the North Dansville Town Board to order at 7:00 PM. Roll call was taken, and found Councilperson Luce, Bacon, Infantino, and Colella present. Highway Superintendent MacWhorter was also in attendance. Guest Yvonne Smallwood, Mary Rawls, Jay Gregorius, Dennis Nolan, Kim Coleman, and Jon VanDerhoof.

Pledge to the Flag followed, led by Councilperson Bacon.

Supervisor Horr opened the Public Hearing at 7:02 PM. The Town Clerk read the Legal advertisement that was placed in the Livingston County Newspaper. Supervisor Horr asked for any public comments to which there were none. He stated that the hearing will remain open for the duration of the regularly scheduled meeting.

Privilege of the Floor: Kim Coleman owner of Highway Cigar and Smoke shop located 9483 Foster Wheeler Road. Kim was in attendance to start the process of asking the Town Board to repeal Local Law #1 of 2021. Local Law #1 was to opt out of cannabis allowing retail dispensaries and on-site consumption sites as authorized under Cannabis Law Article 4. Kim presented her sales figures and projections and answered questions from the Board members. Kim stated that her plan is to have a micro business, which would be everything except growing the cannabis. Councilperson Colella asked Kim to have her attorney forward information on to the Board, and that the Board will follow up with Town Attorney John Putney for additional guidance. The Board is hoping to gather the information needed in time to have a vote at the next scheduled meeting on Tuesday October 11, 2022.

Mary Rawls spoke to the Board about her daughter's burial plot at Greenmount Cemetery. She stated that she did not have the finances to buy a head stone, so she had a custom-made bench that was placed at the site instead. She was unaware that there were rules and guidelines that should have been followed. She is asking for the Board to approve her bench as a head stone if the proper specifications are met per the Cemetery Rules & Regulations. The Board will consider this after she submits the proper paperwork for approval.

Town Clerk presented the minutes from the August 9, 2022, regular meeting, copy on file. A motion by Councilperson Bacon and a second by Luce to accept the minutes as presented. All in favor. MOTION CARRIED.

Town Clerks report for the month of August 2022 was presented, copy on file. The report shows monies taken in for the month were \$13,832.00 of which \$2788.13 was turned over to the Supervisor. A motion by Councilperson Bacon and a second by Councilperson Infantino to accept the report as presented. All in favor. MOTION CARRIED.

Zoning/Code Officers report for the months of July and August 2022 were presented, copy on file. A motion by Councilperson Bacon and a second by Councilperson Luce to accept the report as presented. All in favor. MOTION CARRIED.

Tammy Saylor-Malone updated the Board on the property at 9465 Canal Street. She let the Board know that the person who was allowing various tenants to rent the uninhabitable property was arrested and charged by the Livingston County Sheriff's office.

Councilperson Colella discussed with the Board additions and revisions that are needed for the Uniform Fire Prevention and Building Code Local Law #3 of 2006. The changes and revisions were discussed. A motion by Councilperson Colella and a second by Infantino to hold a Public Hearing before the changes and revisions can be made. Meeting was set for October 11, 2022, at 7:00PM. An advertisement will be posted stating such. All in favor. MOTION CARRIED.

Justice reports from Justice Werth and Justice Weidman for the month of August 2022 were presented, copies on file. The report shows monies taken in for the month were \$10,556.00 and \$7,930.00 respectfully. A motion by Councilperson Bacon and a second by Infantino to accept the reports as presented. All in favor. MOTION CARRIED.

Town/Village Planning Board: Minutes for the months of June, July, and August 2022 were presented, copy on file. A motion by Councilperson Luce, and a second by Bacon to accept the minutes as presented. All in favor. MOTION CARRIED.

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MINUTES CONT'D

Town/Village Zoning Board of Appeals: Minutes for the months of June, July, And August 2022 were presented, copy on file. A motion by Councilperson Bacon, and a second by Luce to accept the minutes as presented. All in favor. MOTION CARRIED.

Executive Summary Report for the month of August 2022 was presented, copy on file. A motion by Councilperson Bacon and a second by Luce to accept the report as presented. All in favor. MOTION CARRIED.

Committee Reports:

Cemetery report for the month of August 2022 was presented, copy on file. A motion by Councilperson Bacon and a second by Infantino to accept the report as presented. All in favor. MOTION CARRIED. Supervisor Horr reminded the Board that Public Meeting to enforce the Cemetery rules and regulations is on Monday September 19th at 5:00PM.

Highway: Superintendent MacWhorter stated that all road work for this year has been completed.

Airport: Supervisor Horr stated that the Hangar roof project will start any time. There is a delay getting the supplies delivered to start the project. He did state that the project was guaranteed to be completed by the end of this year. Supervisor Horr stated to the Board that any items that have not been addressed on the inspection report will be addressed in the 5-year plan for the Airport.

Parks and Recreation: Supervisor Horr stated that we have a \$20,000 grant from the Counties portion of American Rescue Fund Act. A motion by Councilperson Bacon, and a second by Luce to use the grant to oil and stone the parking lot at Frontage Road Park. All in favor. MOTION CARRIED.

Review of monthly payroll summary/registers and bank statements: E-mails were sent to all board members Reconciliation Summary of Banking Accounts and Bank Statements (General, Highway, Airport, Water District and Trust & Agency) for the period ending August 31, 2022, and payroll by transaction class for the same period for their review. Town Clerk presented a hard copy of these materials for board review if they so wished. Board members had no concerns with the information contained in the financial material.

Supervisor Horr stated that he is working on the 2023 fiscal year budget. He would like to hold a budget workshop meeting. A motion by Councilperson Bacon, and a second by Luce to hold the meeting on Monday October 3rd, 2022, at 5:00PM. All in favor. MOTION CARRIED. A Public Notice will be placed stating such.

Solar Law: The Board is still meeting on the 1st and 3rd Mondays of the month to continue working on the solar law.

McWhorter Road: Supervisor Horr has been communication with the Dean of Alfred State College regarding using the engineering students for the project at McWhorter Road. We still need to have two bids on the work to be performed. The Board still plans to go forward with the Army Corp. of Engineer's to see what assistance they may give. Discussion and any formal decisions will be at future meetings.

Supervisor Horr asked for the Board to approve a petty cash account for the Town Clerk. A motion by Councilperson Colella, and a second by Bacon to establish a \$100.00 petty cash account. Supervisor Horr will monitor the account.

A motion by Councilperson Bacon, and a second by Luce to sponsor an ice sculpture through the Chamber of Commerce for Winter in the Village. The cost is \$325.00. All in favor. MOTION CARRIED.

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MINUTES CONT'D

A motion by Councilperson Bacon and a second by Luce to pay all bills as audited, General Account Vouchers #154-#179 incl., totaling \$67,116.50 and Highway Account Vouchers #64-#75 incl., totaling \$45,946.36. All in favor. MOTION CARRIED.

With no one wishing to comment on the Public Hearing, Supervisor Horr declared the Public Hearing closed at 8:19 PM.

**RESOLUTION: ADOPTING LOCAL LAW #2 OF THE YEAR 2022
NO. 9-1-2022**

Motion by: Councilperson Bacon

Second by: Councilperson Colella

WHEREAS, the Town Board has prepared and submitted for review Local Law # 2 of the Year 2022; and

WHEREAS, a legal notice was placed in the Livingston County News informing the General Public of a Public Hearing scheduled for September 13, 2022, at 7:00 PM with certified letters sent to all adjacent Towns and Villages informing them of the hearing; and

WHEREAS, the Town Board's purpose is to protect the public health, safety, and welfare of the residents of the Town of North Dansville; and

WHEREAS, this Moratorium is necessary to stop the processing of applications for, and the issuance of any permits, certificates of occupancy and approvals for certain land uses relating to solar energy, including but not limited to solar farms; and

WHEREAS, a proposed local law was prepared which establishes a six-month moratorium on the processing, permitting and construction of certain solar energy, wind energy, and electric storage systems; and

WHEREAS, during this period the town Board has time to perform the necessary analysis of the potential types of solar energy facilities that could be in the Town; and

WHEREAS, the proposed Local Law was forwarded to the Livingston County Planning Board for its recommendations; and

WHEREAS, the Town Board duly held a Public Hearing on the proposed Local Law on September 13, 2022 and heard all interested parties.

NOW, THEREFORE, IT IS HEREBY RESOLVED AS FOLLOWS:

1. The Town Board hereby adopts Local Law No. 2 of 2022.
2. The Town Board hereby authorizes and directs the Town Clerk to file the Local Law with the New York Secretary of State in accordance with the provisions of the Municipal Home Rule Law and acknowledges that the Local Law will take effect immediately upon filing by the Secretary of State.
3. This Resolution shall take effect immediately.

Roll call vote: AYES: Councilperson Infantino, Colella, Bacon, Luce, and Supervisor Horr

NOES: None. MOTION CARRIED 5 to 0.

A motion by Councilperson Luce, and a second by Infantino to adjourn. All in favor. MOTION CARRIED.

Meeting adjourned at 8:21 P.M.

Respectfully Submitted

Lori Tyler/ Town Clerk